



General Assembly

February Session, 2000

Raised Bill No. 5701

LCO No. 1637

Referred to Committee on Judiciary

Introduced by:
(JUD)

An Act Concerning The Forfeiture Of Electoral Rights And Privileges.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-45 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) The [Judicial Department] Commissioner of Correction shall, on
4 or before the fifteenth day of each month, transmit to the Secretary of
5 the State a list of all persons who, during the preceding calendar
6 month, have been convicted in the Superior Court of [any crime for
7 which the privileges of an elector are forfeited] a felony and committed
8 to the custody of the Commissioner of Correction for confinement in a
9 correctional institution or facility. Such lists shall include the names,
10 birth dates and addresses of such persons, with the dates of their
11 conviction and the crimes of which such persons have been convicted.
12 The Secretary of the State shall transmit such lists to the registrars of
13 the towns in which such convicted persons resided at the time of their
14 conviction and to the registrars of any towns where the secretary
15 believes such persons may be electors. The registrars of such towns
16 shall compare the same with the list of electors upon their registry lists

17 and, after written notice mailed by certified mail to each of the persons
18 named at [his] the person's last-known place of address, shall erase
19 such names from the registry lists in their respective towns or voting
20 districts. As used in this section and sections 9-46 and 9-46a, as
21 amended by this act, "correctional institution or facility" does not
22 include a half-way house or an alternative incarceration facility.

23 (b) Any person who procures [himself] such person or another to be
24 registered after having been disfranchised by reason of conviction of
25 crime and committal to the custody of the Commissioner of Correction
26 for confinement in a correctional institution or facility, and any person
27 who votes at any election after having forfeited [his] such privileges by
28 reason of conviction of crime and such committal, shall be fined not
29 more than five hundred dollars and imprisoned not more than one
30 year.

31 Sec. 2. Section 9-46 of the general statutes is repealed and the
32 following is substituted in lieu thereof:

33 (a) A person shall forfeit [his] such person's right to become an
34 elector and [his] such person's privileges as an elector upon conviction
35 of a felony and committal to the custody of the Commissioner of
36 Correction for confinement in a correctional institution or facility.

37 (b) No person who has forfeited and not regained [his] such
38 person's privileges as an elector, as provided in section 9-46a, as
39 amended by this act, may be a candidate for or hold public office.

40 Sec. 3. Section 9-46a of the general statutes is repealed and the
41 following is substituted in lieu thereof:

42 [(a) A person who has been convicted of a felony shall have his
43 electoral privileges restored upon submission of written or other
44 satisfactory proof to the admitting official before whom he presents his
45 qualifications to be admitted as an elector, that all fines in conjunction
46 with the conviction have been paid and that he has been discharged

47 from confinement, parole or probation, as the case may be.] (a) Upon
 48 the release from confinement in a correctional institution or facility of a
 49 person who has been convicted of a felony and committed to the
 50 custody of the Commissioner of Correction, (1) the person shall have
 51 the right to become an elector, (2) the Commissioner of Correction
 52 shall give the person a document certifying that the person has been
 53 released from such confinement, (3) if the person was an elector at the
 54 time of such felony conviction and, after such release, is residing in the
 55 same municipality in which the person resided at the time of such
 56 felony conviction, the person's electoral privileges shall be restored
 57 upon submitting to an admitting official said document or other
 58 satisfactory proof that the person has been released from such
 59 confinement, and (4) if the person was an elector at the time of such
 60 felony conviction and, after such release, is residing in a different
 61 municipality or if the person was not an elector at the time of such
 62 felony conviction, the person's electoral privileges shall be restored or
 63 granted upon submitting to an admitting official (A) satisfactory proof
 64 of the person's qualifications to be admitted as an elector, and (B) said
 65 document or other satisfactory proof that the person has been released
 66 from confinement.

67 (b) The registrars of voters of the municipality in which a person is
 68 admitted as an elector pursuant to subsection (a) of this section after
 69 release from confinement, within thirty days after the date on which
 70 such person is admitted, shall notify the registrars of voters of the
 71 municipality wherein such person resided at the time of [his] such
 72 person's conviction that [his] such person's electoral rights have been
 73 so restored. [to him.]

74 (c) The [Judicial Department, the] Commissioner of Correction [and
 75 the Board of Parole] shall establish procedures to inform those persons
 76 who have been convicted of a felony [, have been under the
 77 jurisdiction of said department, commissioner or board] and
 78 committed to the custody of said commissioner for confinement in a
 79 correctional institution or facility, and are eligible to have their

80 electoral privileges restored pursuant to subsection (a) of this section,
81 of the right and procedures to have such privileges restored.

82 (d) The Commissioner of Correction shall, on or before the fifteenth
83 day of each month, transmit to the Secretary of the State a list of all
84 persons convicted of a felony and committed to the custody of said
85 commissioner and who, during the preceding calendar month, have
86 been released from confinement in a correctional institution or facility.
87 Such lists shall include the names, birth dates and addresses of such
88 persons, with the dates of their convictions and the crimes of which
89 such persons have been convicted. The Secretary of the State shall
90 transmit such lists to the registrars of the municipalities in which such
91 convicted persons resided at the time of their convictions and to the
92 registrars of any municipalities where the secretary believes such
93 persons may be electors.

94 Sec. 4. This act shall take effect July 1, 2000.

Statement of Purpose:

To provide for the restoration of voting privileges for persons convicted of felonies and committed to the custody of the Commissioner of Correction for confinement in correctional institutions or facilities, upon release from such confinement.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]